

MESSAGE NO: 2321316 MESSAGE DATE: 11/16/2012

MESSAGE STATUS: Active CATEGORY: Countervailing
TYPE: LIQ-Liquidation PUBLIC ☒ NON-PUBLIC ☐
SUB-TYPE:

FR CITE: FR CITE DATE:

REFERENCE
MESSAGE #
(s):

CASE #(s): C-570-968

EFFECTIVE DATE: 09/07/2010 COURT CASE #:

PERIOD OF REVIEW: TO

PERIOD COVERED: TO

TO: { Directors Of Field Operations, Port Directors }

FROM: { Director AD/CVD & Revenue Policy & Programs }

RE: Countervailing (CVD) duty scope determination on aluminum extrusions from the People's Republic of China (PRC) (C-570-968).

Notice of the lifting of suspension occurred on the message date of these instructions. See paragraph 5 below.

1. The Department of Commerce (Commerce) received a scope ruling request from Innovative Controls Inc. (Innovative Controls). Commerce issued a final scope determination on 10/26/2012 on side mount valve control (SMVCs) imported by Innovative Controls are not within the scope of the CVD duty order on aluminum extrusions from the PRC C-570-968.
2. Commerce determined that Innovative Controls SMVCs are outside the scope of the order because the Department found that they met Commerce's exclusion as "finished goods kits".
3. For all entries of SMVCs not within the scope that remain unliquidated on or after 09/07/2010, CBP shall terminate suspension and liquidate all unliquidated entries of SMVCs' that are not within the scope described above which were entered, or withdrawn from warehouse, for consumption.
4. Refund any cash deposits and release any bonds relating to SMVCs not within the scope as described above.
5. These instructions constitute notice of the lifting of suspension of liquidation of entries of SMVCs entered, or withdrawn from warehouse, for consumption on or after 09/07/2010.
6. The assessment of CVD duties by CBP on shipments or entries of this merchandise is subject to the provisions of section 778 of the Tariff Act of 1930, as amended. Section 778 requires that CBP pay interest on overpayments or assess interest on underpayments of the required amounts deposited as estimated CVD duties. The interest provisions are not applicable to cash or bonds posted as estimated CVD duties before the date of publication of the CVD duty order. Interest shall be calculated from the date payment of estimated CVD duties are required through the date of liquidation. The rate at which such interest is payable is the rate in effect under section 6621 of the Internal Revenue Code of 1954 for such period.

7. Unless instructed otherwise, for all other shipments of aluminum extrusions from the PRC not covered by paragraph 2 above, you shall continue to collect cash deposits of estimated CVD duties for the merchandise at the current rates.

8. If there are any questions by the importing public regarding this message, please contact the Call Center for the Office of AD/CVD Operations, Import Administration, International Trade Administration, U.S. Department of Commerce at (202) 482-0984. CBP ports should submit their inquiries through authorized CBP channels only. (This message was generated by O3: JC).

9. There are no restrictions on the release of this information.

Michael B. Walsh

Company Details

*Party Indicator Value:

I = Importer, M = Manufacturer, E = Exporter, S = Sold To Party